



**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT**

**CITY OF SAN ANTONIO
STATE OF TEXAS**

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COUNTY OF BEXAR

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property description (Attach field notes if necessary):

Lot no. 5

Block No. 2

NCB 3004 Property Address: 219 Delaware St. San Antonio, TX 78210

Per Section 35-481 of the Unified Development Code (UDC), the Zoning Board of Adjustment is empowered to consider appeals of a decision made by an administration official.

The Applicant, Enrique of Patuel County, alleges that

the following administrative official HDRC, in his/her capacity as

Commission

(Name of Official)

, made an incorrect decision, or interpretation regarding Section 35-____

(Title of Official)

of the UDC. This incorrect decision or interpretation was (List the section(s) of the UDC that was applied incorrectly. Provide details why the decision was incorrect or misinterpreted.): I believe there was an incorrect decision because the HDRC did not

take into account my safety concernss, nor did they take into account the many neighbors in the Lavaca

district with fence lines that span accross thier driveway. I presented a Google Maps shot of said properties.

The correct decision or interpretation should be as follows (List the section(s) of the UDC that should be applied in this decision. Provide details how the decision should be made.): _____

*Note: Local Government Code § 211.010 (b) and San Antonio City Code § 35-481 (b)(1) require that the applicant give notice of the specific grounds for the appeal. Failure to state the reasons for the alleged error and applicable code sections will result in the return of your application. Please attach additional pages if necessary.

Respectfully submitted:

Applicant's name: Enrique Patuel

Status: Owner () Agent ()

Mailing address: 415 Sherman, San Antonio, TX 78202

Telephone: (210) 421-4448 Alternate: _____

Email: r9r3@hotmail.com

11/2/2018

Applicant's Signature

Date

Property Owner: Enrique Patuel

Mailing address: 415 Sherman, San Antonio, TX 78202

Telephone: (210) 421-4448 Alternate: _____

Email: r9r3@hotmail.com

I, _____ the owner of the subject property, authorize

_____ to submit this application and represent me in this
appeal before the Board of Adjustment.

Please include the following items with this appeal

- ☐ Documentation from City of San Antonio representing the decision you are appealing and proof that you are within the mandatory 30 day time limit to file the appeal.
- ☐ Sections of the UDC from which the decision was based, including all support sections which potentially reinforce your assertion that an error was made.
- ☐ Property Ownership documentation, including a copy of the warranty deed and Bexar County Appraisal District.
- ☐ Filing Fee of \$600.



CITY OF SAN ANTONIO OFFICE OF HISTORIC PRESERVATION

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

October 3, 2018

HDRC CASE NO: 2018-427
ADDRESS: 219 DELAWARE
LEGAL DESCRIPTION: NCB 3004 BLK 2 LOT 5
HISTORIC DISTRICT: Lavaca
PUBLIC PROPERTY: No
APPLICANT: Enrique Patuel -
OWNER: Enrique Patuel -
TYPE OF WORK: Fencing

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to install 4ft tall wrought iron front yard fence including a front driveway gate.

FINDINGS:

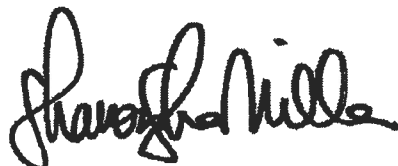
a. The historic structure at 219 Delaware was constructed circa 1910 and is first found on the 1912 Sanborn Map. The one-story single family structure was constructed in the Folk Victorian style and is contributing to the Lavaca Historic District. b. COMMISSION ACTION - The applicant originally requested to install a 5-foot tall wrought iron fence to span across the front yard, including a front driveway gate at HDRC hearing on September 5, 2018. The request was referred to the Design Review Committee by the HDRC. The applicant was not able to meet with the committee due to scheduling conflicts and opted to consult with staff. During the consultation, staff summarized the comments from the commission at the last hearing: (1) no portions of a front yard fence may exceed four feet in height per the Historic Design Guidelines and the Unified Development Code, (2) staff's recommendation to turn the fence at the corner of the front yard instead of spanning across as a front gate is generally consistent with the Guidelines, (3) one commissioner was concerned with a lack of a profile drawing of the proposed fence and (4) another commissioner was considering a motion to approve a fence with a front yard gate with the stipulation that the fence matched its neighbor in design and height (3-foot tall metal-framed cattle panel fence). Since the consultation, the applicant has reduced the proposed height from 5-feet to 4-feet and provided a profile drawing and additional examples of front yard gates on other properties within the district. c. FENCE LOCATION - The applicant has proposed to install a fence to span the width of the property, including a gate spanning across the driveway. According to the Guidelines for Site Elements 2.B.ii, new front yard fences should not be introduced within historic districts that did not historically have them. While staff finds that a fence is not currently present on this property, fences are found on Delaware and within the Lavaca Historic District. According to the Guidelines for Site Elements 2.C.i., privacy fences should be set back from the front façade to reduce their visual prominence. Staff finds that the fence should turn at the driveway to meet the corner of the structure, rather than spanning across the driveway as proposed. Staff finds that the driveway gate, if included, should be set back behind the front façade plane of the structure. d. FENCE DESIGN - The applicant has proposed the new fence to feature a wrought iron design and four feet in height. According to the Guidelines for Site Elements 2.B.i., the design of the fence should respond to the design and materials of the primary historic structure or structures of a similar style in the neighborhood in relation to scale, transparency, and character. Staff finds that the wrought iron fence is found within the Lavaca Historic District and with Folk Victorian homes.

RECOMMENDATION:

Staff recommends approval based on finding c and d with the following stipulations: i. The fence should turn at the driveway to meet at the corner of the structure, as opposed to spanning across the driveway in the front. ii. The driveway gate should be located behind the front façade plane of the structure or removed from the design. iii. That no portion of the fence exceed four feet in height.

COMMISSION ACTION:

Approved with staff stipulations.



Shanon Shea Miller
Historic Preservation Officer

A Certificate of Appropriateness (COA) serves as a record of design approval and is valid for 180 days. Work that is not completed in accordance with this certificate may be subject to correction orders and other penalties.

A COA does not take the place of any required building permits nor does it authorize the use of a property beyond what is allowed by the Unified Development Code. Prior to beginning your construction project, please contact the Development Services Department at (210) 207-1111 to ensure that all requirements have been met.

This Certificate must remain posted on the job site for the duration of your project. Modifications to an approved design or an expired approval will require a re-issue of your Certificate of Appropriateness by OHP staff. Please contact OHP Staff at (210) 207-0035 with any questions.

Bexar CAD

Property Search Results > 138952 PATUEL ENRIQUE for Year 2018

Tax Year: 2018

Property

Account

Property ID:	138952	Legal Description:	NCB 3004 BLK 2 LOT 5
Geographic ID:	03004-002-0050	Zoning:	RM-4
Type:	Real	Agent Code:	
Property Use Code:	001		
Property Use Description:	Single Family		

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	219 DELAWARE ST SAN ANTONIO, TX 78210	Mapsc0:	617A7
Neighborhood:	LAVACA HISTORIC DIST	Map ID:	
Neighborhood CD:	57047		

Owner

Name:	PATUEL ENRIQUE	Owner ID:	3048558
Mailing Address:	510 E CARSON ST SAN ANTONIO, TX 78208-1218	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$44,220	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$136,670	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$180,890	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$180,890	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$180,890	

Taxing Jurisdiction

Owner: PATUEL ENRIQUE
 % Ownership: 100.000000000000%
 Total Value: \$180,890

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	\$180,890	\$180,890	\$42.82
08	SA RIVER AUTH	0.018580	\$180,890	\$180,890	\$33.61
09	ALAMO COM COLLEGE	0.149150	\$180,890	\$180,890	\$269.80
10	UNIV HEALTH SYSTEM	0.276235	\$180,890	\$180,890	\$499.68
11	BEXAR COUNTY	0.277429	\$180,890	\$180,890	\$501.84
21	CITY OF SAN ANTONIO	0.558270	\$180,890	\$180,890	\$1,009.85
57	SAN ANTONIO ISD	1.562600	\$180,890	\$180,890	\$2,826.58
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$180,890	\$180,890	\$0.00
Total Tax Rate:		2.865932			
Taxes w/Current Exemptions:					\$5,184.18
Taxes w/o Exemptions:					\$5,184.18

Improvement / Building

Improvement #1: Residential **State Code:** A1 **Living Area:** 1426.0 sqft **Value:** \$41,360

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	A - WS		1905	1426.0
OP	Attached Open Porch	A - NO		1905	176.0
PAC	Terrace with cover	A - NO		1905	360.0

Improvement #2: Residential **State Code:** A1 **Living Area:** sqft **Value:** \$2,860

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
RSH	Shed	A - NO		1905	360.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RES	R/1 Family not Farm Single	0.1917	8350.00	50.00	167.00	\$136,670	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$44,220	\$136,670	0	180,890	\$0	\$180,890
2017	\$38,330	\$136,670	0	175,000	\$0	\$175,000
2016	\$130,270	\$98,780	0	229,050	\$0	\$229,050
2015	\$135,540	\$55,510	0	191,050	\$0	\$191,050

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/29/2016	Deed	Deed	FUENTES CAROLYNN P ETAL	PATUEL ENRIQUE	18316	541	20170011174
2	12/29/2016	Deed	Deed	POLEND RICHARD A	FUENTES CAROLYNN P ETAL	18316	532	20170011173
3	6/12/2009	CD	Correction Deed	POLEND RICHARD & BRANDY JEAN	POLEND RICHARD A	14039	0187	20090113416

2019 data current as of Nov 2 2018 12:48AM.

2018 and prior year data current as of Oct 5 2018 9:27AM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.

For website information, contact (210) 242-2500.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: December 29, 2016

Grantors: Reynaldo Polendo Sr., Carolynn Fuentes, Richard Polendo Jr., Sylvia Polendo, Ernestina Polendo, Jake Polendo, Brandy Salinas, and Veronica Polendo

Address: 219 Delaware St
San Antonio, Texas 78210

Grantee: Enrique Patuel

Address: 510 E. Carson Street
San Antonio, Texas 78208

COPY

Consideration:

Ten and no/100 (10.00) dollars and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and for which consideration no lien expressed or implied, does or shall exist.

Property (including any improvements):

Lot 5, Block 2, New City Block 3004, STAFFEL ADDITION, City of San Antonio, Bexar County, Texas, according to plat recorded in Volume 105, Page 95, Deed and Plat Records, Bexar County, Texas.

Commonly Known as: 219 Delaware St, San Antonio, Texas 78210

Exceptions to Conveyance and Warranty:

This property is sold in its "as is, where is" condition, and Grantee, by accepting this deed, acknowledges his understanding that the property is being sold absolutely without warranties whatsoever, except as to the warranty of title.

Liens described as part of the Consideration and any other liens described in this deed as being either assumed by Grantee or subject to which title is taken by Grantee; validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the existing year and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utilities easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements;

the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse or Grantee; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) statutory water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Exceptions to Conveyance and Warranty.

At the direction of the parties to this transaction, no title policy was requested and title to the property was not researched nor tax certificates ordered. The law firm preparing the documents makes no representations, express or implied, as to the status of title or payment of property taxes, nor has any legal advice been given to the parties.

The grantor is not warranting the habitability of the premises on said property. Grantee is accepting property in an AS-IS condition and will have no recourse in the courts against the grantor for any property conditions.

When the context requires, singular nouns and pronouns include the plural.

Reynaldo Polendo Sr.

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 **JADE FORTUNE GRACE**
Notary Public, State of Texas
My Commission Expires
June 05, 2017

Notary Public, State of Texas

22

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Notary Public, State of Texas

20

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 **JADE FORTUNE GRACE**
Notary Public, State of Texas
My Commission Expires
June 05, 2017

Notary Public, State of Texas

Reynaldo Polendo Sr.

STATE OF TEXAS §

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COUNTY OF _____ §

This instrument was acknowledged before me on December ____, 2016, by **Reynaldo Polendo Sr.**

Notary Public, State of Texas

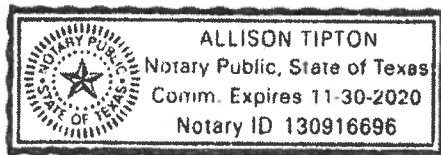
Carolynn Fuentes
Carolynn Fuentes

STATE OF TEXAS §

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COUNTY OF BEXAR §

This instrument was acknowledged before me on December 29, 2016, by **Carolynn Fuentes.**



Allison Tipton
Notary Public, State of Texas

Richard Polendo Jr.

STATE OF TEXAS §

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COUNTY OF BEXAR §

This instrument was acknowledged before me on December ____, 2016, by **Richard Polendo Jr.**

Notary Public, State of Texas

Sylvia F. Polendo

Sylvia Polendo

STATE OF Texas

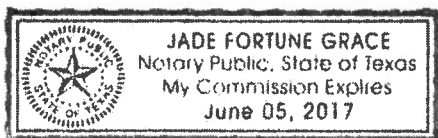
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COUNTY OF Bexar

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This instrument was acknowledged before me on December 30th, 2016, by **Sylvia Polendo**.



[Signature]
Notary Public, State of Texas

Ernestina Garcia

Ernestina Garcia

STATE OF TEXAS

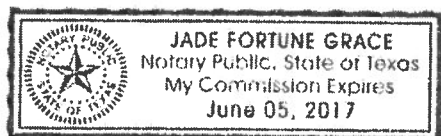
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COUNTY OF BEXAR

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This instrument was acknowledged before me on December 30, 2016, by **Ernestina Garcia**.

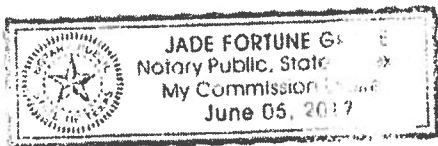


[Signature]
Notary Public, State of Texas

Jake Polendo
Jake Polendo

STATE OF Texas §
COUNTY OF Bexar §

This instrument was acknowledged before me on December 30, 2016, by **Jake Polendo**.



[Signature]
Notary Public, State of Texas

Brandy Salinas

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on December ____, 2016, by **Brandy Salinas**.

Notary Public, State of Texas

Veronica Polendo

Veronica Polendo

STATE OF TEXAS

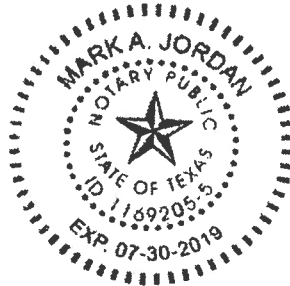
COUNTY OF Navarro

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This instrument was acknowledged before me on December 29th, 2016, by Veronica Polendo.

Mark A. Jordan

Notary Public, State of Texas



Jake Polendo

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on December ____, 2016, by **Jake Polendo**.

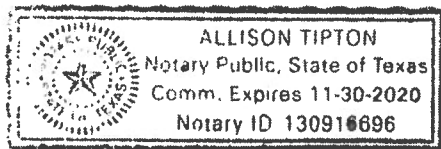
Notary Public, State of Texas

Brandy Salinas
Brandy Salinas

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on December 29th, 2016, by **Brandy Salinas**.



Allison Tipton
Notary Public, State of Texas